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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

PRISON LEGAL NEWS, a project of the
HUMAN RIGHTS DEFENSE CENTER,

Plaintiff,

v.

COLUMBIA COUNTY; COLUMBIA
COUNTY SHERIFF'S OFFICE; JEFF
DICKERSON, individually and in his capacity
as Columbia County Sheriff,

Defendants.

No. CV 12-71-SI

DECLARATION OF PAUL WRIGHT

In Support of Plaintiff's Motion for
Preliminary Injunction

I, Paul Wright, declare as follows:

1. I am over the age of 18 and I am competent to testify. The statements of fact
contained herein are based on my personal knowledge.

1 2. I am the founder and editor of Prison Legal News (“PLN”), a project of the
 2 Human Rights Defense Center (HRDC). HRDC is a Washington State non-profit corporation
 3 headquartered in Vermont.

4 3. For the past 21 years, the core of HRDC’s mission has been public education,
 5 prisoner education, advocacy, and outreach in support of the rights of prisoners and in
 6 furtherance of basic human rights.

7 4. One of the projects of HRDC is the operation of PLN, which publishes a monthly
 8 journal of the same name, maintains a website (www.prisonlegalnews.org), operates an email
 9 list, distributes books of interest to prisoners and publishes self-help, non-fiction reference
 10 books. PLN’s monthly journal of corrections news and analysis is titled *Prison Legal News:
 11 Dedicated to Protecting Human Rights*.

12 5. Prisoners of all types from pre-trial detainees to convicts, family and friends of
 13 prisoners, and prisoner advocates, are among the intended beneficiaries of PLN’s activities.

14 6. Since PLN’s founding in 1990, it has communicated its journals, books, letters,
 15 catalogs, and brochures via mail to tens of thousands of prisoners all over the country.

16 7. Prison Legal News has approximately 7,000 subscribers in the United States and
 17 abroad, including prisoners, attorneys, journalists, public libraries, and judges. PLN distributes
 18 its publication to about 2,200 correctional facilities across the United States, including the
 19 Federal Bureau of Prisons, the Washington Department of Corrections, and the Oregon
 20 Department of Corrections.

21 8. Prison Legal News regularly receives correspondence from prisoners in
 22 correctional facilities around the country in which they ask questions and report on prison
 23 conditions.

24 9. Prison Legal News engages in core protected speech and expressive conduct on
 25 matters of public concern, such as operations of prison facilities, prison conditions, prisoner
 26 health and safety, and prisoners’ rights.

10. In December 2010 and the months thereafter, Prison Legal News sent copies of its monthly journal, informational brochures about PLN and subscribing to its monthly journal, book catalogs, book offers, subscription renewal letters, and fundraising letters addressed personally to prisoners at the Columbia County Jail (“the Jail”). All mailings to prisoners at the Jail were addressed to: [Prisoner Name], Columbia Co Jail, 901 Port Ave, St. Helens, Oregon 97051.

11. Prison Legal News sent its monthly journal by U.S. mail and the informational brochures, book catalogs, book offers, subscription renewal letters, and fundraising letters via first-class mail.

12. All PLN correspondence, catalogs, materials and publications are printed professionally for mailing to thousands of individuals. Although they have been copied on separate pages for presentation to the court via ECF filing, PLN’s original informational brochures, the original PLN book catalogs, and the original book offers were each printed on the front and back of a single piece of paper.

13. The Columbia County Jail rejected numerous journals, informational subscription brochures, book catalogs, book offers, subscription renewal letters, and fundraising letters that PLN mailed to specific prisoners held in its custody.

14. After censoring the mail, the Columbia County Jail returned only some of the items to Prison Legal News, as stated below. True copies of mailings that the Jail returned to PLN are attached to this declaration.

Informational Subscription Brochure, Book Offer, and Book Catalogs

15. Exhibits MMM, NNN, and OOO are copies of the three single-page brochures that PLN mailed to prisoners at the Columbia County Jail together in one envelope (collectively referred to as an “Info Pack”). Each Info Pack contained a PLN Brochure and Subscription Order Form (Ex. MMM), the 2010 PLN Book Catalog (Ex. NNN), and a brochure about two books for sale –*The Habeas Citebook: Ineffective Assistance of Counsel* and *Prisoners’ Guerrilla Handbook to Correspondence Programs in the United States and Canada* (Ex. OOO).

1 16. Prison Legal News mailed Info Packs individually addressed to certain prisoners
2 at the Columbia County Jail. The Jail rejected at least twenty-seven of the Info Packs that PLN
3 sent to prisoners held in its custody. The Jail returned some of the rejected Info Packs to Prison
4 Legal News, as described below:

5 A. Exhibit A is an envelope sent by PLN to prisoner Robert Beckwith on
6 January 31, 2011, and the front and back of the three brochures contained in the envelope. The
7 Jail returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER"
8 and has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
9 POSTCARDS This applies to ALL incoming and out going mail."

10 B. Exhibit B is an envelope sent by PLN to prisoner Daniel Butts on
11 February 3, 2011, and the front and back of the three brochures contained in the envelope. The
12 Jail returned the Info Pack to PLN. The returned envelope has a sticker that states, "As of April
13 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
14 incoming and out going mail."

15 C. Exhibit C is an envelope sent by PLN to prisoner Cory Dell on February 3,
16 2011, and the front and back of the three brochures contained in the envelope. The Jail returned
17 the Info Pack to PLN. The returned envelope has a sticker that states, "As of April 1, 2010 The
18 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
19 going mail."

20 D. Exhibit D is an envelope sent by PLN to prisoner Jacob Francoeur on
21 February 3, 2011, and the front and back of the three brochures contained in the envelope. The
22 Jail returned the Info Pack to PLN. The returned envelope has a sticker that states, "As of April
23 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
24 incoming and out going mail."

25 E. Exhibit E is an envelope sent by PLN to prisoner Mark Gift on July 20,
26 2011, and the front and back of the three brochures contained in the envelope. The Jail returned
27 the Info Pack to PLN. The returned envelope is stamped, "INSPECTED BY COLUMBIA

COUNTY JAIL,” with checkmarks next to “RETURN TO SENDER” and
 “REFUSE/VIOLATES SECURITY.”

F. Exhibit F is an envelope sent by PLN to prisoner Nicholas Jones on
 February 3, 2011, and the front and back of the three brochures contained in the envelope. The
 Jail returned the Info Pack to PLN. The returned envelope is stamped “RETURN TO SENDER”
 and has a sticker that states, “As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 POSTCARDS This applies to ALL incoming and out going mail.”

G. Exhibit G is an envelope sent by PLN to prisoner Martin Kay on or about
 February 1, 2011, and the front and back of the three brochures contained in the envelope. The
 Jail returned the Info Pack to PLN. The returned envelope is stamped “RETURN TO SENDER”
 and has a sticker that states, “As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 POSTCARDS This applies to ALL incoming and out going mail.”

H. Exhibit H is an envelope sent by PLN to prisoner George Lammi on June
 30, 2011, and the front and back of the three brochures contained in the envelope. The Jail
 returned the Info Pack to PLN. The returned envelope is stamped “RETURN TO SENDER” and
 does not state a reason for censorship.

I. Exhibit I is an envelope sent by PLN to prisoner Scott Lavelle on January
 31, 2011, and the front and back of the three brochures contained in the envelope. The Jail
 returned the Info Pack to PLN. The returned envelope is stamped “RETURN TO SENDER” and
 has a sticker that states, “As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 POSTCARDS This applies to ALL incoming and out going mail.”

J. Exhibit J is an envelope sent by PLN to prisoner Troy McCarter on
 February 1, 2011, and the front and back of the three brochures contained in the envelope. The
 Jail returned the Info Pack to PLN. The returned envelope is stamped “RETURN TO SENDER”
 and has a sticker that states, “As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 POSTCARDS This applies to ALL incoming and out going mail.”

1 K. Exhibit K is an envelope sent by PLN to prisoner Shane McNutt on
 2 January 31, 2011, and the front and back of the three brochures contained in the envelope. The
 3 Jail returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER"
 4 and has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 5 POSTCARDS This applies to ALL incoming and out going mail."

6 L. Exhibit L is an envelope sent by PLN to prisoner Robert Meader on
 7 February 3, 2011, and the front and back of the three brochures contained in the envelope. The
 8 Jail returned the Info Pack to PLN. The returned envelope has a sticker that states, "As of April
 9 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
 10 incoming and out going mail."

11 M. Exhibit M is an envelope sent by PLN to prisoner Kanaan Meyers on
 12 January 31, 2011, and the front and back of the three brochures contained in the envelope. The
 13 Jail returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER"
 14 and has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 15 POSTCARDS This applies to ALL incoming and out going mail."

16 N. Exhibit N is an envelope sent by PLN to prisoner Kanaan Meyers on
 17 February 4, 2011, and the front and back of the three brochures contained in the envelope. The
 18 Jail returned the Info Pack to PLN. The returned envelope has a sticker that states, "As of April
 19 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
 20 incoming and out going mail."

21 O. Exhibit O is an envelope sent by PLN to prisoner Jeffrey Murray on June
 22 30, 2011, and the front and back of the three brochures contained in the envelope. The Jail
 23 returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and
 24 does not state a reason for censorship.

25 P. Exhibit P is an envelope sent by PLN to prisoner Lloyd Myers on January
 26 31, 2011, and the front and back of the three brochures contained in the envelope. The Jail
 27 returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and

1 has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
2 POSTCARDS This applies to ALL incoming and out going mail."

3 Q. Exhibit Q is an envelope sent by PLN to prisoner Ralph Patterson on July
4 20, 2011, and the front and back of the three brochures contained in the envelope. The Jail
5 returned the Info Pack to PLN. The returned envelope is stamped, "INSPECTED BY
6 COLUMBIA COUNTY JAIL," with check marks next to "RETURN TO SENDER" and
7 "REFUSE/VIOLATES SECURITY."

8 R. Exhibit R is an envelope sent by PLN to prisoner Andrew Plumber on
9 January 31, 2011, and the front and back of the three brochures contained in the envelope. The
10 Jail returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER"
11 and has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
12 POSTCARDS This applies to ALL incoming and out going mail."

13 S. Exhibit S is an envelope sent by PLN to prisoner Jason Quade on February
14 1, 2011, and the front and back of the three brochures contained in the envelope. The Jail
15 returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and
16 has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
17 POSTCARDS This applies to ALL incoming and out going mail."

18 T. Exhibit T is an envelope sent by PLN to prisoner Cindy Seaston on June
19 30, 2011, and the front and back of the three brochures contained in the envelope. The Jail
20 returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and
21 does not state a reason for censorship.

22 U. Exhibit U is an envelope sent by PLN to prisoner Barry Shaft on July 20,
23 2011, and the front and back of the three brochures contained in the envelope. The Jail returned
24 the Info Pack to PLN. The returned envelope is stamped "INSPECTED BY COLUMBIA
25 COUNTY JAIL," with checkmarks next to "RETURN TO SENDER" and
26 "REFUSE/VIOLATES SECURITY."
27

1 V. Exhibit V is an envelope sent by PLN to prisoner Ezra St. Helen on
 2 February 1, 2011, and the front and back of the three brochures contained in the envelope. The
 3 Jail returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER"
 4 and does not state a reason for censorship.

5 W. Exhibit W is an envelope sent by PLN to prisoner William Temple on July
 6 20, 2011, and the front and back of the three brochures contained in the envelope. The Jail
 7 returned the Info Pack to PLN. The returned envelope is stamped "INSPECTED BY
 8 COLUMBIA COUNTY JAIL," with checkmarks next to "RETURN TO SENDER" and
 9 "REFUSE/VIOLATES SECURITY."

10 X. Exhibit X is an envelope sent by PLN to prisoner Scott Thomas on
 11 February 1, 2011, and the front and back of the three brochures contained in the envelope. The
 12 Jail returned the Info Pack to PLN. The returned envelope is stamped "RETURN TO SENDER"
 13 and has a sticker that states, "As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS
 14 POSTCARDS This applies to ALL incoming and out going mail."

15 Y. Exhibit Y is an envelope sent by PLN to prisoner Alisha Vandolah on
 16 February 1, 2011, and the front and back of the three brochures contained in the envelope. The
 17 Jail returned the Info Pack to PLN. The returned envelope has a sticker that states, "As of April
 18 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
 19 incoming and out going mail."

20 Z. Exhibit Z is an envelope sent by PLN to prisoner Jeffrey Vannatta on
 21 February 3, 2011, and the front and back of the three brochures contained in the envelope. The
 22 Jail returned the Info Pack to PLN. The returned envelope has a sticker that states, "As of April
 23 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
 24 incoming and out going mail."

25 AA. Exhibit AA is an envelope sent by PLN to prisoner Robert Westmoreland
 26 on July 20, 2011, and the front and back of the three brochures contained in the envelope. The
 27 Jail returned the Info Pack to PLN. The returned envelope is stamped "INSPECTED BY

COLUMBIA COUNTY JAIL,” with check marks next to “RETURN TO SENDER” and “REFUSE/VIOLATES SECURITY.”

Prison Legal News Monthly Publications

17. The Jail rejected at least thirty-seven issues of *Prison Legal News* that PLN mailed to prisoners held in its custody. Attached are true copies of mailings that the Columbia County Jail returned to PLN:

BB. Exhibit BB is an envelope sent by PLN to prisoner George Lammi on or about June 30, 2011, and the front and back pages of the May 2008 issue of *Prison Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is stamped “RETURN TO SENDER” and does not state a reason for censorship.

CC. Exhibit CC is an envelope sent by PLN to prisoner Jeffrey Murray on or about June 30, 2011, and the front and back pages of the May 2008 issue of *Prison Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is stamped “RETURN TO SENDER” and does not state a reason for censorship.

DD. Exhibit DD is an envelope sent by PLN to prisoner Cindy Seaston on or about June 30, 2011, and the front and back pages of the May 2008 issue of *Prison Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is stamped “RETURN TO SENDER” and does not state a reason for censorship.

EE. Exhibit EE is an envelope sent by PLN to prisoner Daniel Butts on January 31, 2011, and the front and back pages of the September 2008 issue of *Prison Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is stamped “RETURN TO SENDER” and has a sticker that states, “As of April 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out going mail.”

FF. Exhibit FF is an envelope sent by PLN to prisoner Cory Dell on January 31, 2011, and the front and back pages of the September 2008 issue of *Prison Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is

1 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
2 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
3 going mail."

4 GG. Exhibit GG is an envelope sent by PLN to prisoner Jacob Francoeur on
5 January 31, 2011, and the front and back pages of the September 2008 issue of *Prison Legal*
6 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
7 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
8 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
9 going mail."

10 HH. Exhibit HH is an envelope sent by PLN to prisoner William Hess on
11 January 31, 2011, and the front and back pages of the September 2008 issue of *Prison Legal*
12 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
13 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
14 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
15 going mail."

16 II. Exhibit II is an envelope sent by PLN to prisoner Nicholas Jones on
17 February 3, 2011, and the front and back pages of the September 2008 issue of *Prison Legal*
18 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
19 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
20 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
21 going mail."

22 JJ. Exhibit JJ is an envelope sent by PLN to prisoner Martin Kay
23 on February 3, 2011, and the front and back pages of the September 2008 issue of *Prison Legal*
24 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
25 stamped "RETURN TO SENDER" and does not state a reason for censorship.

26 KK. Exhibit KK is an envelope sent by PLN to prisoner Mark Gift on July 20,
27 2011, and the front and back pages of the May 2009 issue of *Prison Legal News* contained in the

1 envelope. The Jail returned the journal to PLN. The returned envelope is stamped
 2 “INSPECTED BY COLUMBIA COUNTY JAIL” with checkmarks next to “RETURN TO
 3 SENDER” and “REFUSE/VIOLATES SECURITY.”

4 LL. Exhibit LL is an envelope sent by PLN to prisoner Ralph Patterson on July
 5 20, 2011, and the front and back pages of the May 2009 issue of *Prison Legal News* contained in
 6 the envelope. The Jail returned the journal to PLN. The returned envelope is stamped
 7 “INSPECTED BY COLUMBIA COUNTY JAIL” with checkmarks next to “RETURN TO
 8 SENDER” and “REFUSE/VIOLATES SECURITY.”

9 MM. Exhibit MM is an envelope sent by PLN to prisoner Barry Shaft on July
 10 20, 2011, and the front and back pages of the May 2009 issue of *Prison Legal News* contained in
 11 the envelope. The Jail returned the journal to PLN. The returned envelope is stamped
 12 “INSPECTED BY COLUMBIA COUNTY JAIL” and with checkmarks next to “RETURN TO
 13 SENDER,” “CONTRABAND,” and “REFUSE/VIOLATES SECURITY.”

14 NN. Exhibit NN is an envelope sent by PLN to prisoner William Temple on
 15 July 20, 2011, and the front and back pages of the May 2009 issue of *Prison Legal News*
 16 contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 17 stamped “INSPECTED BY COLUMBIA COUNTY JAIL” with checkmarks next to “RETURN
 18 TO SENDER” and “REFUSE/VIOLATES SECURITY.”

19 OO. Exhibit OO is an envelope sent by PLN to prisoner Robert Westmoreland
 20 on July 20, 2011, and the front and back pages of the May 2009 issue of *Prison Legal News*
 21 contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 22 stamped “INSPECTED BY COLUMBIA COUNTY JAIL” and with checkmarks next to
 23 “RETURN TO SENDER,” “CONTRABAND” and “REFUSE/VIOLATES SECURITY.”

24 PP. Exhibit PP is an envelope sent by PLN to prisoner Troy McCarter on or
 25 about February 3, 2011, and the front and back pages of the July 2009 issue of *Prison Legal*
 26 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 27 stamped “RETURN TO SENDER” and has a sticker that states, “As of April 1, 2010 The

1 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
2 going mail.”

3 QQ. Exhibit QQ is an envelope sent by PLN to prisoner Shane McNutt on or
4 about February 3, 2011, and the front and back pages of the July 2009 issue of *Prison Legal*
5 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
6 stamped “RETURN TO SENDER” and has a sticker that states, “As of April 1, 2010 The
7 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
8 going mail.”

9 RR. Exhibit RR is an envelope sent by PLN to prisoner Robert Meader on or
10 about February 3, 2011, and the front and back pages of the July 2009 issue of *Prison Legal*
11 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
12 stamped “RETURN TO SENDER” and has a sticker that states, “As of April 1, 2010 The
13 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
14 going mail.”

15 SS. Exhibit SS is an envelope sent by PLN to prisoner Jason Quade on or
16 about February 3, 2011, and the front and back pages of the July 2009 issue of *Prison Legal*
17 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
18 stamped “RETURN TO SENDER” and has a sticker that states, “As of April 1, 2010 The
19 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
20 going mail.”

21 TT. Exhibit TT is an envelope sent by PLN to prisoner Ezra St. Helen on
22 February 1, 2011, and the front and back pages of the July 2009 issue of *Prison Legal News*
23 contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
24 stamped “RETURN TO SENDER” and has a sticker that states, “As of April 1, 2010 The
25 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
26 going mail.”
27

1 UU. Exhibit UU is an envelope sent by PLN to prisoner Scott Thomas on or
 2 about February 1, 2011, and the front and back pages of the July 2009 issue of *Prison Legal*
 3 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 4 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 5 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 6 going mail."

7 VV. Exhibit VV is an envelope sent by PLN to prisoner Robert Beckwith on
 8 February 1, 2011, and the front and back pages of the November 2009 issue of *Prison Legal*
 9 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 10 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 11 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 12 going mail."

13 WW. Exhibit WW is an envelope sent by PLN to prisoner Nicholas Bierman on
 14 January 31, 2011, and the front and back pages of the November 2009 issue of *Prison Legal*
 15 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 16 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 17 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 18 going mail."

19 XX. Exhibit XX is an envelope sent by PLN to prisoner Scott Lavelle on
 20 February 1, 2011, and the front and back pages of the November 2009 issue of *Prison Legal*
 21 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 22 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 23 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 24 going mail."

25 YY. Exhibit YY is an envelope sent by PLN to prisoner Lloyd Myers on or
 26 about February 1, 2011, and the front and back pages of the November 2009 issue of *Prison*
 27 *Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned

1 envelope is stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010
 2 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and
 3 out going mail."

4 ZZ. Exhibit ZZ is an envelope sent by PLN to prisoner Alisha Vandolah on
 5 February 1, 2011, and the front and back pages of the November 2009 issue of *Prison Legal*
 6 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 7 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 8 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 9 going mail."

10 AAA. Exhibit AAA is an envelope sent by PLN to prisoner Jeffrey Vannatta on
 11 or about February 1, 2011, and the front and back pages of the November 2009 issue of *Prison*
 12 *Legal News* contained in the envelope. The Jail returned the journal to PLN. The returned
 13 envelope is stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010
 14 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and
 15 out going mail."

16 BBB. Exhibit BBB is an envelope sent by PLN to prisoner Kanaan Meyers on or
 17 about February 3, 2011, and the front and back pages of the January 2010 issue of *Prison Legal*
 18 *News* contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 19 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 20 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 21 going mail."

22 CCC. Exhibit CCC is an envelope sent by PLN to prisoner Andrew Plumber on
 23 January 31, 2011, and the front and back pages of the January 2010 issue of *Prison Legal News*
 24 contained in the envelope. The Jail returned the journal to PLN. The returned envelope is
 25 stamped "RETURN TO SENDER" and has a sticker that states, "As of April 1, 2010 The
 26 Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL incoming and out
 27 going mail."

1 18. The Columbia County Jail also rejected numerous issues of *Prison Legal News*
2 that it did not return to PLN, as described below.

3 19. PLN mailed the December 2010 issue of *Prison Legal News* to Rusty Campo at
4 the Columbia County Jail on or about December 8, 2010. Although the Jail did not return the
5 December 2010 issue of *Prison Legal News* sent to prisoner Campo, PLN learned from Mr.
6 Campo that the Jail never delivered the journal to him.

7 20. PLN mailed the January 2011 issue of *Prison Legal News* to Rusty Campo at the
8 Columbia County Jail on or about January 13, 2011. Although the Jail did not return the January
9 2011 issue of *Prison Legal News* sent to prisoner Campo, PLN learned from Mr. Campo that the
10 Jail never delivered the journal to him.

11 21. PLN mailed the February 2011 issue of *Prison Legal News* to prisoners Troy
12 McCarter and Ezra St. Helen at the Columbia County Jail on or about February 10, 2011.
13 Although the Jail did not return the February 2011 issues of *Prison Legal News* that PLN sent to
14 prisoners McCarter and St. Helen, PLN learned from those prisoners that the Jail never delivered
15 the journals to them.

16 22. PLN mailed the March 2011 issue of *Prison Legal News* to Ezra St. Helen at the
17 Columbia County Jail on or about March 10, 2011. Although the Jail did not return the March
18 2011 issue of *Prison Legal News* sent to prisoner St. Helen, PLN learned from Mr. St. Helen that
19 the Jail never delivered the journal to him.

20 23. PLN mailed the April 2011 issue of *Prison Legal News* to Troy McCarter at the
21 Columbia County Jail on or about April 11, 2011. Although the Jail did not return the April
22 2011 issue of *Prison Legal News* sent to prisoner McCarter, PLN learned from Mr. McCarter
23 that the Jail never delivered the journal to him.

24 24. PLN mailed the May 2011 issue of *Prison Legal News* to Ezra St. Helen at the
25 Columbia County Jail on or about May 18, 2011. Although the Jail did not return the May 2011
26 issue of *Prison Legal News* sent to prisoner St. Helen, PLN learned from Mr. St. Helen that the
27 Jail never delivered the journal to him.

25. PLN mailed the June 2011 issue of *Prison Legal News* to prisoners Ezra St. Helen and Martin Kay at the Columbia County Jail on or about June 9, 2011. Although the Jail did not return the June 2011 issues of *Prison Legal News* that PLN sent to prisoners St. Helen and Kay, PLN learned from those prisoners that the Jail never delivered the journals to them.

Renewal Letter

26. The Columbia County Jail rejected at least eight of the subscription renewal letters and Info Packs (collectively "Subscription Renewal Packs") that PLN sent to prisoners there. The Jail returned some of the rejected Subscription Renewal Packs to Prison Legal News, as described below.

DDD. Exhibit DDD is an envelope sent by PLN to prisoner William Hess on June 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned the Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and does not state a reason for censorship.

EEE. Exhibit EEE is an envelope sent by PLN to prisoner Martin Kay on June 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned the Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and does not state a reason for censorship.

FFF. Exhibit FFF is an envelope sent by PLN to prisoner Troy McCarter on June 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned the Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and does not state a reason for censorship.

GGG. Exhibit GGG is an envelope sent by PLN to prisoner Shane McNutt on June 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned the Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO SENDER" and does not state a reason for censorship.

HHH. Exhibit HHH is an envelope sent by PLN to prisoner Andrew Plumber on June 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned

1 the Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO
2 SENDER" and does not state a reason for censorship.

3 III. Exhibit III is an envelope sent by PLN to prisoner Jason Quade on May
4 21, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned the
5 Subscription Renewal Pack to PLN. The returned envelope has a sticker that states "As of April
6 1, 2010 The Columbia County Jail ONLY ACCEPTS POSTCARDS This applies to ALL
7 incoming and out going mail."

8 JJJ. Exhibit JJJ is an envelope sent by PLN to prisoner Ezra St. Helen on June
9 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned the
10 Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO
11 SENDER" and does not state a reason for censorship.

12 KKK. Exhibit KKK is an envelope sent by PLN to prisoner Alisha Vandolah on
13 June 16, 2011 and the Subscription Renewal Pack contained in the envelope. The Jail returned
14 the Subscription Renewal Pack to PLN. The returned envelope is stamped "RETURN TO
15 SENDER" and does not state a reason for censorship.

16 Exemplars of PLN Mailings

17 27. The following are true copies of certain documents cited in the Plaintiff's Motion:

18 LLL. Exhibit LLL is the full 56-page March 2011 issue of the monthly journal
19 *Prison Legal News*.

20 MMM. Exhibit MMM is the PLN informational subscription brochure that PLN
21 mailed to prisoners confined in the Jail.

22 NNN. Exhibit NNN is the PLN book catalog that PLN mailed to prisoners
23 confined in the Jail.

24 OOO. Exhibit OOO is the PLN book offer for *The Habeas Citebook: Ineffective*
25 *Assistance of Counsel* and *Prisoners' Guerilla Handbook to Correspondence Programs in the*
26 *United States and Canada* that PLN mailed to prisoners confined in the Jail.

Fundraising Letters

28. The Columbia County Jail rejected at least two of the Fundraising Letters, PLN Brochure and Subscription Forms, 2011 PLN Book Catalogs, and Brochures offering books for sale (collectively “Fundraising Packs”) that PLN sent to prisoners there. The Jail returned the following Fundraising Packs to PLN:

PPP. Exhibit PPP is an envelope sent by PLN to prisoner William Temple in or about November 2011 and the Fundraising Pack contained in the envelope. The Jail returned the Fundraising Pack to PLN. The returned envelope is stamped “RETURN TO SENDER” and does not state a reason for censorship.

QQQ. Exhibit QQQ is an envelope sent by PLN to prisoner Barry Shaft in or about November 2011 and the Fundraising Pack contained in the envelope. The Jail returned the Fundraising Pack to PLN. The returned envelope is stamped “RETURN TO SENDER” and does not state a reason for censorship.

PLN Online Articles

29. PLN maintains a website containing information about PLN’s resources. In addition to information about PLN’s monthly magazine and books for sale, PLN’s website contains information about breaking news and a database of articles, publications, legal briefs, and other information about state and federal issues affecting prisoners. Individuals can visit the website and view PLN’s news content, or become a member of PLN and search for and print articles of interest to them—for themselves or to send to others, including prisoners who do not have access to computers or the internet.

30. Exhibit RRR is a copy of an online article available on the PLN website in December 2011 titled “The Failed Promise of Prison Privatization” by Richard Culp, Ph.D. This online article includes a critique of prison privatization, and research findings about the goals and results of the move toward privatization. The article also identifies a correspondence school book available for sale, and includes introductory descriptions of PLN’s 20 “Breaking News” headlines about various topics, including but not limited to sex abuse in prison, poor forensics

1 used to secure criminal convictions, private prison companies behind Arizona's immigration law,
2 and the death penalty in Texas.

3 Denial of Due Process

4 31. PLN did not receive any mail rejection forms or notices from the Jail for any of
5 the mail items that the Jail censored. Other than the returned mail itself, the Jail did not
6 communicate to PLN the reasons that Defendants censored the mail. The Jail did not
7 communicate to PLN any opportunity for challenging the Jail's censorship decisions.

8 Continued Censorship and Affect on Prison Legal News

9 32. PLN has several subscribers in the Columbia County Jail and will continue to
10 communicate with prisoners confined there. Therefore, Defendants' policies and practices will
11 continue to interfere with Plaintiff's free speech rights in the future.

12 33. PLN cannot communicate the information contained in its book catalog,
13 informational subscription brochure, book offers, renewal letter, fundraising letter, or its monthly
14 journal *Prison Legal News*, by telephone. It is impracticable and ineffective for PLN to describe
15 43 books over the telephone not to mention the highly time-consuming nature of trying to
16 coordinate telephone calls, and make calls, and the cost of paying for calls. Nor can PLN send
17 its staff from Vermont to the Jail to communicate its written speech in person.

18 34. PLN's book catalog, informational subscription brochure, and its book offer, do
19 not fit on a postcard. The text of each fill the front and back of a piece of paper measuring 8.5 by
20 11 inches. *See Exhibits MMM, NNN, and OOO.* Self evidently, the content describing these
21 books and subscription offers does not fit on a postcard. Similarly, the content of PLN's multi-
22 page Subscription Renewal Packs and Fundraising Packs do not fit on a postcard. *See e.g.*
23 *Exhibits PPP and GGG.* PLN cannot justify expending the resources to hire someone to modify
24 all of its catalogs, brochures, and other correspondence, in very substantial ways just to meet the
25 policy of the Columbia County Jail.

26 35. The Columbia County Jail mail policies and censorship practices frustrate Prison
27 Legal News's organizational mission, and have caused Prison Legal News to divert its resources.

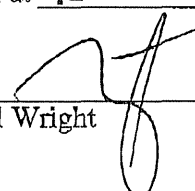
1 The Jail's censorship of PLN's mail addressed to prisoners at the Jail, the Jail's censorship of
 2 PLN articles sent by other correspondents to prisoners at the Jail, and the Jail's censorship of
 3 prisoner's outgoing mail, prevents PLN from communicating its political message to prisoners,
 4 recruiting new supporters, readers and subscribers, and has caused PLN additional financial harm
 5 in the form of diversion of its resources, lost subscriptions and purchases of its publications and
 6 book purchases.

7 36. If the Jail's current mail policy remains in effect, its rejection of PLN's mail and
 8 materials will make it much more difficult for PLN to communicate with prisoners.

9 37. I am not aware of any state or federal prison that has a postcard-only policy.

10 I declare under penalty of perjury of the laws of the United States of America that the
 11 foregoing is true and correct to the best of my knowledge.

12 DATED this 30th day of January, 2012, at Kansas City Missouri

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 15 _____
 16 Paul Wright
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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2012, I electronically filed the foregoing to the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- **Marc D. Blackman**
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Of Attorneys for Plaintiff Prison Legal News